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PUBLIC SERVICE
COMMISSION

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF KENTUCKY)
UTILITIES COMPANY FOR AN ORDER)
AUTHORIZING THE ISSUANCE OF)
SECURITIES AND THE ASSUMPTION)
OF OBLIGATIONS)

CASE NO. 2008- 00309

**MOTION FOR DEVIATION FROM RULES AND FOR INCORPORATION BY
REFERENCE**

Kentucky Utilities Company (“KU”) hereby moves, pursuant to 807 KAR 5:001(14), for a deviation from 807 KAR 5:001(11) and for incorporation by reference pursuant to 807 KAR 5:001(5)(5). In support of this Motion, KU states as follows:

1. This case concerns KU’s request, pursuant to KRS 278.300, for authorization for the issuance of securities, assumption of obligations and entrance into all necessary agreements and other documents relating thereto.

2. The debt financing for which KU is requesting authority is for the purpose of financing portions of the capital costs of KU’s pollution control project at the Ghent Generating Station. Commission Rule 807 KAR 5:001(11)(d) provides that a copy of KU’s construction contract with Fluor Enterprises, Inc. (the “Construction Contract”) for construction of KU’s pollution control project be annexed to KU’s Application.

3. The Construction Contract has been previously filed with the Commission in a prior case requesting authority for financing, Case No. 2006-00187 (*In the Matter of: The Application of Kentucky Utilities Company for an Order Authorizing the Issuance of Securities and the Assumption of Obligations*). In Case No. 2006-00187, KU requested and was granted

confidential protection for portions of the Construction Contract. Additionally, in Case No. 2006-00414 (*In the Matter of: The Application of Kentucky Utilities Company for an Order Authorizing the Issuance of Securities and the Assumption of Obligations*), Case No. 2007-00024 (*In the Matter of: The Application of Kentucky Utilities Company for an Order Authorizing the Issuance of Securities and the Assumption of Obligations*), Case No. 2007-00115 (*In the Matter of: The Application of Kentucky Utilities Company for an Order Authorizing the Issuance of Securities and the Assumption of Obligations*) and Case No. 2007-00437 (*In the Matter of: The Application of Kentucky Utilities Company for an Order Authorizing the Issuance of Securities and the Assumption of Obligations*), KU requested and was granted a deviation from Commission rules and incorporation of the Construction Contract filed in Case No. 2006-00187 by reference only.

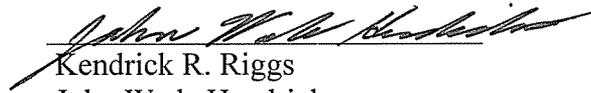
4. If the Construction Contract was filed in the present case, KU would again request confidential protection for portions of that contract.

5. If the Construction Contract was filed in the record of this case, this duplicative filing of information already contained in the Commission files would serve no purpose and represent a needless burden on the Company for photocopying and would also needlessly burden the Commission which would again have to consider the issue of whether the confidential information in that contract should be protected.

THEREFORE, Kentucky Utilities Company respectfully requests that the redacted Construction Contract contained in the record of Case No. 2006-00187, be made a part of the record in the present case by reference only, pursuant to 807 KAR 5:001(5)(5).

Dated: July 29th, 2008.

Respectfully submitted,



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